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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X	
RAJIV GARG,	:
	:
Plaintiff,	:
	:
	:
- v. -	:
	:
WINTERTHUR,	:
	:
Defendant.	:
----- X	

05 CV 5556 (LTS)(DFE)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE THAT, pursuant to Rules 12(b)(2), (3), (4) and (5) of the Federal Rules of Civil Procedure, and based on the accompanying Memorandum of Law, the accompanying Affidavit of Doris Supanz, and the pleadings in this action, defendant Winterthur Life (improperly named in the Verified Complaint as “Winterthur”), through its attorneys, Evan J. Spelfogel, Epstein, Becker & Green, P.C., will move this Court before the Honorable Laura Taylor Swain, at the United States Courthouse, 40 Centre Street, on a date to be determined by the Court, for an Order dismissing the Verified Complaint in its entirety, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York
August 26, 2005

EPSTEIN BECKER & GREEN, P.C.

By: s/Evan J. Spelfogel
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